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D Scott

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Attorney's Docket Number: 04329.1952-01000

Prior Application: 09/105,958

Prior Art Unit: 2814

Prior Examiner: S. RAO

SIR: This is a request for filing a

☐ Continuation ☒ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 09/105,958 filed June 29, 1998 of Yoshitaka TSUNASHIMA, Kiyotaka MIYANO, and Yukihiro USHIKU for SEMICONDUCTOR DEVICE AND METHOD OF MANUFACTURING METHOD THE SAME

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 09/105,958 as originally filed on June 29, 1998.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☒ Cancel Claims 1-11 and 13-25
4. ☒ A Preliminary Amendment is enclosed.
5. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 and 4 above.

For	:	Number Filed	:	Number Extra	:	Rate	:	Basic Fee \$710.00
Total	:		:		:		:	
Claims	:	8 -20=	:		:	x\$ 18.00=	:	\$ 0
Independent	:		:		:		:	
Claims	:	3 -3=	:		:	x\$ 78.00=	:	\$ 0
Multiple Dependent Claim(s) (if applicable)	:		:		:	+\$260.00=	:	\$ 0
Total =								\$ 710.00
Reduction by 1/2 for								
filing by small entity								- 0
TOTAL FILING FEE								= \$ 710.00

10/17/00
JC772 U.S. PTO

JC860 U.S. PTO
09/688989
10/17/00

6. ☒ A check in the amount of \$710.00 to cover the filing fee is enclosed.
7. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
8. ☒ Amend the specification by inserting before the first line, the sentence:

a1

JB

--This is a ☐ continuation ☒ division of application Serial No. 09/105,958, filed June 29, 1998--, all of which are incorporated herein by reference.

9. ☐ New formal drawings are enclosed.
10. ☒ The prior application is assigned of record to: KABUSHIKI KAISHA TOSHIBA, Kawasaki-shi, Japan, recorded September 4, 1998 at Reel/Frame 9439/0050.
11. ☒ Priority of application Serial Nos. 9-174205, 10-042056, and 10-185453, filed on June 30, 1997, February 24, 1998, and June 30, 1998, respectively, all in Japan, are claimed under 35 U.S.C. § 119. A certified copy

☐ is enclosed or ☒ are on file in the prior application.
12. ☐ A verified statement claiming small entity status

☐ is enclosed or ☐ is on file in the prior application.
13. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg.

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14. ☒ The power appears in the original declaration of the prior application.
15. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
16. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315.
17. ☐ Recognize as associate attorney _____

 (name, address & Reg. No.)
18. ☒ Also enclosed is an Information Disclosure Statement and Information Disclosure Citation Form PTO-1449.

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, serial no. 09/105,958, filed June 29, 1998, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: _____

Richard V. Burgulian
Reg. No.: 31,744

Date: October 17, 2000

LAW OFFICES

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